

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

WILLIAM B. DANZELL,)	C.A. NO. 08-99999 9:08-2553-SB
)	
)	State Court Case No. 2008-CP-07-1966
PLAINTIFF,)	
)	DEFENDANT'S ANSWERS
vs.)	TO LOCAL CIVIL RULE
)	26.01 INTERROGATORIES
NESTOR, INC.,)	
)	
DEFENDANT.)	
_____)	

The Defendant Nestor, Inc., answering the Interrogatories pursuant to Local Civil Rule 26.01 of the Federal Rules of Civil Procedure, states as follows:

INTERROGATORY NO. (A)

State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: Not applicable.

INTERROGATORY NO. (B)

As to each claim, state whether it should be tried by jury or non-jury and why.

ANSWER: Plaintiff has requested a jury trial in his Complaint.

INTERROGATORY NO. (C)

State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: Defendant is a publicly traded company.

(1) None

(2) None

(3) None

INTERROGATORY NO. (D)

State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: Plaintiff filed his Complaint in the Court of Common Pleas, Beaufort County, South Carolina. Defendant contests personal jurisdiction in South Carolina and asserts that if personal jurisdiction is found over Defendant, the proper venue for this action is the District Court for the District of Rhode Island.

INTERROGATORY NO. (E)

Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: This matter may be related to another action removed to the United States District Court for the District of South Carolina, Beaufort Division, which is captioned Silver Star

Partners I, LLC v. Nestor, Inc., CA No. 08-99999. The Silver Star Partners action was originally filed in the Court of Common Pleas, Beaufort County, South Carolina against this Defendant by Silver Star Partners I, LLC

These two cases may be related because the plaintiff in the related litigation, Silver Star Partners I, LLC, upon information and belief, is controlled solely by William B. Danzell, who is the Plaintiff in this case.

INTERROGATORY NO. (F)

If the defendant is improperly identified, give the proper identification and state whether counsel will accept service on an Amended Summons and pleading reflecting the correct identification.

ANSWER: The Defendant is properly identified.

INTERROGATORY NO. (G)

If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Not Applicable.

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